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**IT IS SO STIPULATED.**DATE: November 17, 2008

BARNES &amp; THORNBURG, LLP

By: MICHAEL H. GOTTSCHLICH  
Attorney for Plaintiff  
IRWIN UNION BANK AND TRUST  
COMPANY

DATE: November \_\_\_\_, 2008

WILSON, ELSER, MOSKOWITZ, EDELMAN  
& DICKER LLP

By: \_\_\_\_\_

MARTIN W. JOHNSON  
CHRISTINA R. VAN WERT  
Attorney for Defendant  
MGB FINANCIAL SERVICES, INC.**ORDER**

The above-captioned matter, and all claims for relief therein, are dismissed with prejudice as to all parties in its entirety. Each party is to bear its own costs and attorneys' fees.

**IT IS SO ORDERED.**

DATE: \_\_\_\_\_

BY: \_\_\_\_\_

HONORABLE PHYLLIS J. HAMILTON  
UNITED STATES DISTRICT JUDGE

**IT IS SO STIPULATED.**

DATE: November \_\_\_\_, 2008

BARNES & THORNBURG, LLP

By: \_\_\_\_\_  
MICHAEL H. GOTTSCHLICH  
Attorney for Plaintiff  
IRWIN UNION BANK AND TRUST  
COMPANY

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WILSON, ELSE, MOSKOWITZ, EDELMAN  
& DICKER LLP

By: \_\_\_\_\_  
MARTIN W. JOHNSON  
CHRISTINA R. VAN WERT  
Attorney for Defendant  
MGB FINANCIAL SERVICES, INC.

**ORDER**

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**IT IS SO ORDERED.**

DATE: 11/17/08

